

AFFIRMATIVE ACTION PLAN AND PROCUREMENT POLICIES

Miami-Dade County Ordinance No.82 –37, Resolution No. R-1049-93, and Ordinance No. 98-30, requires the submittal of a firm's Affirmative Action Plan, and Procurement Policies as applicable, as follows:

1. **Ordinances No. 82-37**

All firms properly licensed to provide engineering, architectural, landscape architectural, land surveying and mapping services (A/E firms), regardless of their individual assignments in connection with an advertised project that they are responding to, must have and affirmative action plan filed and approved by Miami-Dade County's Department of Business Development, by the response deadline of the aforementioned advertised project.

2. **Ordinances No. 98-30**

All firms, including A/E firms, with annual gross revenues in excess of \$5,000.000 must have and affirmative action plan and procurement policies filed and approved by Miami – Dade County's Department of Business Development as a condition of contract award. If your firm's annual gross revenue does not exceed \$5,000.000, then complete and return the enclosed AAP/PP Affidavit.

If Ordinance No. 82-37 and/or Ordinance No. 98-30 are/is applicable, then the enclosed guideline is provided to facilitate in the preparation of your firm's Affirmative Action Plan and Procurement Policies. An Affirmative Action Plan is a set of specific and result oriented procedures to which a firm commits to apply every good faith effort with the objective of providing equal employment opportunity. The goal of any affirmative action plan is the achievement of genuine equal employment and opportunity for all qualified individuals. Firms shall submit their Affirmative Action Plan and Procurement Policies annually and shall provide for the periodic review of their plan and policies in order to determine their effectiveness in assuring the firm does not discriminate in its employment, promotion and procurement practices. Upon receipt, your Affirmative Action Plan and Procurement Policies document will be processed and issued a letter acknowledging that your document has been filed and containing an approval and expiration date. The normal processing time is approximately fifteen (15) business days.

If your need assistance in preparing your affirmative action plan and procurement policies document, please contact Ms. Maria C. Machado of the Business Development Department at: (305) 349-6105.

Sincerely,

Maria C. Machado, Supervisor
Affirmative Action Plan Unit



DEPARTMENT OF BUSINESS DEVELOPMENT
AFFIRMATIVE ACTION PLAN SECTION

Ordinance No. 98-30
AAP/PP Affidavit

Pursuant to Miami-Dade County's Ordinance No. 98-30, Section 2-8.1.5, entities with annual gross revenues in excess of \$5,000,000 seeking to contract with the County shall, as a condition of receiving a County contract, have: 1) a written affirmative action plan which sets forth the procedures the entity utilizes to assure that it does not discriminate in its employment and promotion practices; and 2) a written procurement policy which sets forth the procedures the entity utilizes to assure that it does not discriminate against minority- and women-owned businesses in its own procurement of goods, supplies and services. Such affirmative action plans and procurement policies shall provide for periodic review to determine their effectiveness in assuring the entity does not discriminate in its employment, promotion and procurement practices. The foregoing notwithstanding, corporate entities whose board of directors are representative of the population make-up of the nation shall be presumed to have non-discriminatory employment and procurement policies, and shall not be required to have written affirmative action plans and procurement policies in order to receive a County contract. The foregoing presumption may be rebutted. The requirements of this section may be waived upon written recommendation of the County Manager that it is in the best interests of the County to do so and approval of the County Commission by majority vote of the members present.

Based on the above, please check the appropriate box below, complete the affidavit as directed, and return the executed affidavit along with a cover letter in your firm's letterhead paper, showing the address, phone and fax numbers, and any required documents, to this Office:

Miami-Dade County Department of Business Development
175 N. W. 1st Avenue, 28th Floor
Miami, Florida 33128
Attn: Maria C. Machado

- ☐ My firm provides engineering, architectural, landscape architectural, land surveying and mapping services. Therefore, enclosed is our firm's affirmative action plan for review.
- ☐ My firm has annual gross revenues in excess of \$5,000,000. Therefore, enclosed is our firm's affirmative action plan and procurement policy for review.
- ☐ My firm has annual gross revenues less than \$5,000,000. Therefore, Ordinance No. 98-30 is not applicable.

If at any time the Department of Business Development (DBD) has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, DBD may refer the matter to the State Attorney's Office and/or other investigative agencies. DBD may initiate debarment and/or pursue other legal remedies in accordance with Miami-Dade County policy and/or applicable federal, state and local laws.

The undersigned swears that the foregoing statements are true and correct. If after executing this affidavit there are any changes in the information submitted, the undersigned agrees to immediately inform DBD of such changes in writing.

Executed by: _____

Name of Firm

Sworn before me

Signature of Affiant

This _____ Day of _____, _____

Printed Name of Affiant

Notary Public

Title

AFFIRMATIVE ACTION PLAN GUIDELINES

Affirmative Action Plans (AAP) are filed with the Department of Business Development (DBD) to satisfy requirements of Ordinance No. 82-37, Ordinance No. 98-30, and Resolution 1049-93, all of which affect the acquisition of services or contracting with Miami-Dade County. The AAP shall be summarized and updated annually.

All AAPs should be sent to the following location:

**DEPARTMENT OF BUSINESS DEVELOPMENT
Court House Center Building
175 N.W. 1St Avenue, 28th floor
Miami, FL 33128
Attn: Maria C. Machado
Phone: (305) 349-5960
Fax: (305) 349-5915**

An AAP is a set of specific and result oriented procedures to which the Entity or firm commits itself to apply every good faith effort. The goal of any AAP should be the achievement of genuine equal employment and opportunity for all qualified persons.

Statistical workforce analysis updates shall be filed for changes that denote the achievement of the Affirmative Action goals. DBD will monitor the program, and assist the firms in complying with their stated goals. A DBD representative may also make periodic visits to offices to verify the information submitted.

The attached pages are a model outline to help in the preparation of the AAP, plus the forms for the statistical workforce analysis and utilization of local minority businesses. Under Chapter 2-10.4, Section 5(d) of the Miami Dade County Code, the AAP is one of the factors to be considered for the selection of firms to provide services to Miami Dade County.

Please note: Every year, firms must update their workforce analysis forms to show the changes, which have occurred in their workforce, if any (e.g. new hires, promotions, layoffs, etc).

CONTENTS OF AFFIRMATIVE ACTION PLAN

The following sections must be addressed in order for your firm's AAP to be considered for filing:

A. DECLARATION OF POLICY

This is a policy statement which affirms your firm's commitment under Miami Dade County Resolution No. 1049-93, Ordinance No. 82-37, and Ordinance No. 98-30 amending Section 2-10.4(5)(d) and Section 2-8.1.5 respectively, of the Miami Dade County Code. This policy statement should reflect the firm's intent to give particular emphasis to the employment and promotion of the minority workforce in Miami Dade County by programmatic activities as well as subcontracting. It should be written on the company letterhead and signed and dated by:

1. The firm's Chief Executive Officer or President
2. The firm's Affirmative Action Plan Officer

B. MEMORANDUM FROM THE FIRM'S CHIEF EXECUTIVE OFFICER OR PRESIDENT TO ALL EMPLOYEES

This memorandum should be signed by the firm's CEO or President and convey the following:

1. The firm's declaration of policy regarding affirmative action.
2. The identification of the firm's appointed upper level management person who will serve as the Affirmative Action Officer.
3. The availability and location of the Affirmative Action Plan.
4. An outline of internal procedures to publicize the plan (e.g. requesting supervisors to discuss the Affirmative Action Plan at staff meetings etc).
5. An outline of external procedures to publicize the plan (e.g. rapport with community organizations regarding regular and new recruitment sources etc).

C. WORKFORCE ANALYSIS

This is a statistical breakdown of your firm's current workforce by job category on the basis of race, or ethnicity and sex. The appropriate form and a detailed example have been provided.

If your firm's corporate office is not located in Miami Dade County, please submit the workforce analysis for the entire corporation as well as the local office on two separate forms. Please ensure that the office locations (address, phone and fax number) are included on the forms.

D. NARRATIVE OF PROGRAMMATIC ACTIVITIES AND/OR GOALS

1. Recruitment/Advertising

Your firm may indicate its commitment and provide documentation of compliance in this area in the following ways:

- a. The use of media (e.g. newspapers, radio, trade journals, professional journals, etc). Identifying the firm in printed advertising, employment applications, company stationery, and oral pronouncements as an “Equal Opportunity/Affirmative Action employer”. Copies of the aforementioned items may be submitted indication of compliance.
- b. Identifying recruitment efforts at colleges, universities, high schools and vocational institutions.
- c. Identifying and utilizing specific fraternal, sorority, civic and community-based organization.
- d. Identifying specific profit and non-profit employment offices or companies the firm will utilize in recruitment efforts for applicants: If possible, the names and phone numbers of contact persons should be listed.

2. Hiring Procedures

The plan should indicate what specific action will be taken to either eliminate or minimize intentional or unintentional bias against minority applicants with regard to employee testing, interviewing and selection procedures.

3. Promotion Procedures

This section should address how the company plans to identify qualified minority employees, which are eligible for promotions or transfers to more upwardly mobile positions in the organization.

4. Training Procedures

This section should address how the implementation of specific programs, for example tuition reimbursements, specific employee development training programs, part-time or co-op positions may be utilized.

5. Publicity (Internal and External)

This narrative may include the firm’s consideration of the use of an Affirmative Action statement in company brochure, direct mail flyers and other external publicity material. Internal publicity may include items such as company procedures or policy manuals.

E. PROCUREMENT POLICIES
(For firms with \$5 Millions gross revenues or more per year)

This policy set forth the procedures the firm's utilizes to assure that it does not discriminate against minority and women owned business in its own procurements of goods, supplies and services.

Overall, items 1 through 6 shall include past, existing and future coordination efforts with minority groups and agencies (e.g. government, educational, civic and/or community study groups), for the purpose of identifying potentially qualified minority professional applicants.

F. UTILIZATION OF LOCAL MINORITY BUSINESSES

This narrative should indicate the present, past and future utilization of local minority consultants and/or suppliers. Complete this form according to your firm's condition. The information must include:

1. The name of the firm/consultant and /or supplier utilized.
2. The type of service provided; the name and number of the project on which the firm /consultant and/or supplier was utilized and the fees paid.
3. The dollar value of the work awarded by Miami-Dade to your firm and the amounts paid or authorized to your firm to date.

If your firm has not been awarded contracts with Miami Dade County, please provide this information.

Please note that DBD maintains a list of Minority Business Companies, and Community Small Business Enterprises, which consists of construction firms available for your use.

G. GRIEVANCE PROCEDURE

This section should describe the companies written policies and procedures, which allow any employee to bring matters of unfair treatment or other personal concerns to the attention of a senior manager within the organization. Please identify the executive officer in charge of receiving complaints.

H. PROGRAM REPORTING

This section should convey that all employment and other related statistical and/or other records relative to Miami Dade's projects reflecting progress under the AAP are available for inspection during normal working hours to the appropriate County government representative. It should state:

1. Name of contact.
2. Where the files are located.

INSTRUCTIONS FOR COMPLETING THE STATISTICAL WORKFORCE ANALYSIS

There are a total of six overall job categories for which utilization totals and percentages will be computed.

- A. In-House/EEO Totals is a breakdown of the total number of employees per job category in the appropriate race/ethnic group.
- B. The total number of employees within that job category figures in-House/EEO Percentages.

SAMPLES LIST OF POSITIONS PER JOB CATEGORY

- 1. Principals and Managers (Owners, corporate officers)
- 2. Registered Professionals (architects, engineers, landscape, land surveyors, certified public accountants)
- 3. Other Professionals (Planners, designers estimators, interior designers, party chiefs specifications writers)
- 4. Para-professionals (Inspectors, instrument men, rod men, draftsmen)
- 5. Office and Clerical (Office managers, receptionist, typist, bookkeepers, file clerk messengers)
- 6. Others (apprentices on-job trainees)

RACE/ETHNIC IDENTIFICATION (EEO DEFINITIONS)

The concept of race as used by the Equal Employment Opportunity Commission does not denote clear-cut scientific definitions or anthropological origins. For the purpose of reporting, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded the community as belonging. For reporting purpose, the following race/ethnic categories will be used.

- A. The category “White” (not of Hispanic origin):
All persons having origins in any of the original peoples of Europe, North America, or Middle East.
- B. The Category “Black” (not of Hispanic origin):
All persons having origins in any of the Black racial groups of Africa.
- C. The Category “Hispanic”:
All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish Culture or origin, regardless of race.
- D. The Category “Asian of Pacific Islander”

All persons having origins in any of the original peoples of the Far East, Southeast, Asia, Korea, Japan, the Philippine islands and Samoa.

- E. The category “American Indian or Alaska Native:
All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Note: The category “Hispanic” while not a race identification, is included as a separate race/ethnic category because of the employment discrimination often encountered by this group. For this reason, do not include “Hispanic” under either “White or Black”.

This should accompany strong visible identification that the person culturally and Linguistically identifies with the group he or she claims.

AFFIRMATIVE ACTION PLAN CHECKLIST

The following checklist has been provided to help ensure that all the items are addressed.

- A. DECLARATION OF POLICY** (see Example enclosed)
1. Written on company's letterhead ☐
 2. Signed and dated by CEO/President and AAO ☐
 3. Firm's commitment to Affirmative Action ☐
 4. Emphasis to Minority employment and opportunity ☐
- B. MEMORANDUM FROM CEO OR PRESIDENT TO EMPLOYEES**
1. Affirmative Action Policy Statement ☐
 2. Identification of Affirmative Action Officer ☐
 - a) Name ☐
 - b) Title (upper level Management) ☐
 3. Location and availability of Affirmative Action Plan ☐
 4. External Procedures ☐
- C. STATISTICAL WORKFORCE ANALYSIS**
1. Name and location of firm (address) ☐
 - a) If corporate, fill one form for the local office, and one form for the Entire corporation (EEO-1 Form, Consolidated Report) ☐
 - b) Breakdown and totals filled out correctly ☐
- D. PROGRAMATIC ACTIVITIES AND/OR GOALS**
1. Recruitment/Advertising ☐
 2. Hiring procedures ☐
 3. Promotion procedures ☐
 4. Training procedures ☐
 5. Publicity (internal/external) ☐
- E. PROCUREMENT POLICIES AND PROCEDURES**
1. For firms with \$5 Millions gross revenues per year ☐
- F. UTILIZATION OF LOCAL MINORITY FIRMS, CONSULTANTS, AND /OR SUPPLIERS**
1. Name of firm, consultant and/or supplier ☐
 2. Type of service provided and fees paid ☐
 3. List of contracts awarded by Miami-Dade County and fees received ☐
- G. GRIEVANCE PROCEDURE**
1. Name of CEO in charge ☐
- H. PROGRAM REPORTING**
1. Location of records (address) ☐
 2. Contact person (name) ☐

Example of Declaration of Policy:

A B C ARCHITECTURAL GROUP

123 Oak Lane
Miami, FL 33176

Telephone: (305) 123-4567
Facsimile: (305) 756-4321

DECLARATION OF POLICY

In accordance with requirements of Miami Dade County Ordinances 82-37, Ordinance 98-30 and Resolution No. 1049-93, A B C Architectural Group, Inc. Affirms its commitment to the submittal of an Affirmative Action Plan for the purpose of maintaining equal employment and promotional opportunity, with particular emphasis on the minority workforce population and the utilization of Minority professional firms, consultants and/or suppliers.

John Brown
Chief Executive Officer

Date:

Mary Williams
Vice-President and Affirmative
Action Officer

Date:

Miami-Dade County Representing Authority

Date:

Example of Memorandum from CEO or President to Employees:

MEMORANDUM

DATE: Month, Day, and Year
TO: All Employees
FROM: John H. Brown, (President)
SUBJECT: Miami-Dade County Affirmative Action Plan

DECLARATION OF POLICY

In accordance with Miami Dade County Resolution 1049-93, Ordinance 82-37, and Ordinance 98-30, ABC Architectural Group affirms its commitment to the submittal of an Affirmative Action Plan, which has the purpose of maintaining equal employment and promotional opportunity, with particular emphasis, an improving the Minority and/or Women consultants and/or supplier.

Special meetings will be conducted with executive management and supervisory personnel to explain the intent of the plan and individual responsibility for effective implementation, making clear my commitment to the program. Additionally, the plan will be discussed at employee orientation an management training programs.

Outside sources such as recruitment subcontractors, vendors and suppliers will be formed verbally and in writing about our affirmative action polices.

Ms. Mary Williams, Vice President, is hereby appointed the firm's Affirmative Action Officer. She will have the day-today responsibility for the implementation and monitoring of our plan.

The Affirmative Action Plan is available for your review during normal working hours. For review of the plan, please contact Ms. Mary Williams, Vice President.

Example of Procurement Policy:

PROCUREMENT POLICY

It is the policy of A B C and all of subsidiaries and affiliates to afford equal opportunity to all vendors and suppliers of material to firms providing goods and services to shall not be discriminated against based on the owner's race, age, sex, religion, and status as a veteran or national origin.

ABC Inc. will:

1. Solicit bids from all qualified firms, regardless of ownership. Including the utilization of lists of qualified vendor maintained by the Department of Business Development.
2. Evaluated all bids so as to further the principles of non-discrimination and equal opportunity.
3. Ensure that final purchases are in accordance with the principals of equal opportunity.
4. Ensure that all procurement actions such as repeat purchases, extensions, change orders, acceptance policy, etc., will be administered without regard to race, age, sex, religion, status as a veteran or national origin.

I firmly endorse and support our EQUAL OPPORTUNITY PROGRAM and have established and AFFIRMATIVE ACTION PROGRAM to ensure our continued commitment. I am confident that all and subsidiaries and affiliates will provide their full support, cooperation and effort to ensure the committed successful achievement of this program.

CEO/President

Date

Example of Procurement Procedure:

PROCUREMENT PROCEDURE

ABC shall purchase all commodities, equipment and services through the normal purchasing procedures implemented by department heads, supervisors and others responsible for purchasing for ABC.

The following bidding procedures shall be utilized (bidding requirements are based on total cost of the purchase):

1. Purchases \$250 to \$999:

Telephone quotes be obtained from at least three (3) businesses, particularly when the vendor list contains more than three (3) suppliers for the requested service or commodity. The Purchase Order will be issued to the lowest qualified and responsible bidder.

2. Purchases \$1,000 to \$4,999:

Written quotes will be solicited using the Solicitation of Quote form detailing the items or services to be purchased and other pertinent information and mailed to interested businesses. The Purchase Orders shall be issued to the lowest, qualified and responsible bidder.

3. Purchases \$5,000 and Up:

Formal sealed bids will be solicited by mailing and "Invitation to Bid" form to interested companies. All bids must be received prior to or by the scheduled bid opening date and time. Bids received after the scheduled opening will be returned to the bidder unopened. At the scheduled date and time, the bids are opened and read publicly. The award will be made to the lowest qualified and responsible bidder meeting the specifications.



Miami-Dade County, Florida
Department of Business Development
“Statistical Workforce Analysis”

Complete the following information for all permanent full-time employees. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered as zeros.

Name of Firm:											<input type="checkbox"/> Corporate Office <input type="checkbox"/> Miami Office			
Location:														
Contact Name:														
Telephone:				Facsimile:						E-mail:				
Job Categories	Racial/Ethnic Group Status													
	Total Number per Job Category	White		Black		Hispanic		Other		Combined Totals				
		M	F	M	F	M	F	M	F	M	F	W	B	H
Principals and Managers														
Registered Professionals (Not included above)														
Other Professionals														
Para Professionals														
Office and Clerical														
Others (Defined and not in the narrative)														
Total														

Officer Name

Signature

Date

[illegible]

Date _____